

NOTICE OF OBJECTION TO CONFIRMATION

DITECH FINANCIAL LLC has filed papers with the Court to object to the Confirmation of the Chapter 13 Plan.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the Court to object to the Confirmation of the Chapter 13 Plan, or if you want the Court to consider your views on the Objection, then on or before, you or your attorney must:

1. File with the Court an answer, explaining your position at:

**Clerk
U.S. Bankruptcy Court
401 Market Street, 2nd Floor
Camden, NJ 08101**

If you mail your response to the Court for filing, you must mail it early enough so that the Court will *receive* it on or before the date stated above.

You must also mail a copy to:

Phelan Hallinan Diamond & Jones, PC
400 Fellowship Road, Suite 100
Mt. Laurel, NJ 08054

Isabel C. Balboa, Trustee
Cherry Tree Corporate Cen, 535 Route 38 - Suite 580
Cherry Hill, NJ 08002

2. Attend the hearing scheduled to be held on 09/06/2017 in the CAMDEN Bankruptcy Court, at the following address:

**U.S. Bankruptcy Court
401 Market Street, 2nd Floor
Camden, NJ 08101**

If you or your attorney do not make these steps, the Court may decide that you do not oppose the relief sought in the Objection and may enter an Order granting that relief.

Date: August 16, 2017

/s/ Michael Dingerdissen
Michael Dingerdissen, Esq.
Phelan Hallinan Diamond & Jones, PC
400 Fellowship Road, Suite 100
Mt. Laurel, NJ 08054

Tel: 856-813-5500 Ext. 31614

Fax: 856-813-5501

Email: michael.dingerdissen@phelanhallinan.com

File No. 796483

Phelan Hallinan Diamond & Jones, PC
400 Fellowship Road
Mt. Laurel, NJ 08054
856-813-5500
FAX Number 856-813-5501
DITECH FINANCIAL LLC

In Re:
HENRY J STREAHLE, III

Debtor

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE

Chapter 13

Case No. 17-23898 - JNP

Hearing Date: 09/06/2017

The undersigned, Phelan Hallinan Diamond & Jones, PC, attorneys for Secured Creditor, DITECH FINANCIAL LLC, the holder of a Mortgage on debtor residence located at 533 NORTH 4TH STREET, MILLVILLE, NJ 08332-2703 hereby objects to the Confirmation of the Debtor's proposed Chapter 13 Plan on the following grounds:

1. The Debtor's proposed Chapter 13 Plan lists Movant under Part 4, Section B Modification. Debtor is attempting to cram down Movant's secured lien by listing the total collateral value as \$24,000.00, the scheduled debt as \$38,532.91 and the total amount to be paid \$27,174.60. Movant objects to this value.
2. Debtor's Chapter 13 Plan proposes to reclassify DITECH FINANCIAL LLC's Lien under Part 7, Section C, however, there is no legal support for this treatment.
3. Movant objects to this treatment of its claim and the proposed valuation of the property under 11 U.S.C. §506, as it takes the position that the subject property value far exceeds that amount being claimed by the Debtor. Movant requests the opportunity to conduct an appraisal of the subject property and have a Valuation Hearing scheduled, if needed. Additionally, Movant objects to the proposed interest rate to be paid through the Chapter 13 cramdown, as the rate of 5.00% is below that of the subject note.
4. Movant is in the process of drafting its Proof of Claim.

5. Movant requests that the confirmation of Debtor's Chapter 13 Plan be denied in its entirety.

WHEREFORE, DITECH FINANCIAL LLC respectfully requests that the Confirmation of Debtor Plan be denied.

/s/ Michael Dingerdissen

Michael Dingerdissen, Esq.

Phelan Hallinan Diamond & Jones, PC

400 Fellowship Road, Suite 100

Mt. Laurel, NJ 08054

Tel: 856-813-5500 Ext. 31614

Fax: 856-813-5501

Email: michael.dingerdissen@phelanhallinan.com

Dated: August 16, 2017

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)

796483
PHELAN HALLINAN DIAMOND & JONES, PC
400 Fellowship Road, Suite 100
Mt. Laurel, NJ 08054
856-813-5500
Attorneys for DITECH FINANCIAL LLC

In Re:

HENRY J STREAHLE, III

Case No: 17-23898 - JNP

Hearing Date: _____

Judge: JERROLD N. POSLUSNY
JR.

Chapter: 13

CERTIFICATION OF SERVICE

1. I, Kimberly Wilson:

☐ represent the _____ in the above-captioned matter.

☒ am the secretary/paralegal for Phelan Hallinan Diamond & Jones, PC,
who represents DITECH FINANCIAL LLC in the above captioned matter.

☐ am the _____ in the above case and am representing
myself.

2. On August 21, 2017 I sent a copy of the following pleadings and/or
documents to the parties listed below:

Objection to Plan

3. I hereby certify under penalty of perjury that the above documents were sent
using the mode of service indicated.

Dated: August 21, 2017

/s/ Kimberly Wilson
Kimberly Wilson

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
HENRY J STREAHLE, III 43 NEW STREET BRIDGETON, NJ 08302	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
DONNA L. STREAHLE 533 N 4 TH STREET MILLVILLE, NJ 08332	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
SEYMOUR WASSERSTRUM, Esquire 205 LANDIS AVENUE VINELAND, NJ 08360	Debtor's Attorney	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
Isabel C. Balboa, Trustee Cherry Tree Corporate Cen, 535 Route 38 - Suite 580 Cherry Hill, NJ 08002	Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)

* May account for service by fax or other means as authorized by the court through the issuance of an Order Shortening Time.